UNITED NATIONS

GENERAL ASSEMBLY

Distr.
GENERAL

A/AC.182/SR.46
19 February 1981

ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

1981 session

SUMMARY RECORD OF THE 46th MEETING

Held at Headquarters, New York,
on Tuesday, 17 February 1981, at 3 p.m.

Temporary Chairman: Mr. SUY (Under-Secretary-General, the Legal Counsel)

CONTENTS

Opening of the session

This record is subject to correction.

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The meeting was called to order at 3.30 p.m.

OPENING OF THE SESSION

1. Mr. SUY (Under-Secretary-General, the Legal Counsel), speaking on behalf of the Secretary-General, declared open the 1981 session of the Special Committee. The Committee had before it, as usual, a number of important questions affecting fundamental aspects of international life, including the maintenance of international peace and security which would have to be given priority in accordance with General Assembly resolution 35/164. Furthermore, the Committee would be called upon to consider proposals made by Member States on the rationalization of existing procedures within the Organization and to continue work on the Manila draft declaration on the peaceful settlement of disputes, to be submitted to the General Assembly at its thirty-sixth session.

2. The importance of the Committee's work was apparent from its very title, and had been highlighted by the discussions held in the Sixth Committee at the last session of the General Assembly. In renewing the mandate of the Committee, the General Assembly had not only shown the importance it attached to its work but had reaffirmed its confidence in the Committee's ability to conduct its work in a constructive manner.

3. Lastly, he pointed out that the Secretariat had so far received no replies to the invitation contained in paragraph 1 of General Assembly resolution 35/164 or to that contained in paragraph 6 of General Assembly resolution 35/160.

4. It was evident from consultations held with the representatives of various groups that delegations would need additional time to settle the question of the membership of the Bureau. If he heard no objection, he would take it that the members of the Committee wished to adjourn the meeting so as to continue consultations with a view to reaching agreement on that matter.

5. It was so decided.

The meeting rose at 3.35 p.m.

UNITED NATIONS

GENERAL ASSEMBLY

Distr.
GENERAL

A/AC.182/SR.47
20 February 1981

ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

1981 session

SUMMARY RECORD OF THE 47th MEETING

Held at Headquarters, New York,
on Wednesday, 18 February 1981, at 10.30 a.m.

Temporary Chairman: Mr. SUY (Under-Secretary-General, the Legal Counsel)

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Election of officers

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The meeting was called to order at 11.30 a.m.

ELECTION OF OFFICERS (continued)

1. Mr. ESCUDERO (Ecuador), speaking on behalf of the Latin American Group, nominated Mr. González-Gálvez (Mexico) for the office of Chairman and suggested that he should be elected by acclamation.

2. Mr. GÜNEY (Turkey), speaking on behalf of the Group of Western European and other States, requested that more time should be allowed for consultations between the regional groups so that an acceptable solution could be found to the question of the composition of the Bureau.

3. Mr. ELARABY (Egypt), speaking on behalf of the African Group, whole-heartedly supported the candidacy of Mr. González-Gálvez. His delegation failed to see why more time should be needed for consultations and wished to place on record its belief that no more time should be wasted on the subject.

4. Mr. CHATURVEDI (India) supported the candidacy of Mr. González-Gálvez.

5. Mr. OLSZOWKA (Poland), speaking on behalf of the Eastern European Group, said he fully agreed with the representative of Egypt that time should not be wasted on procedural matters. However, in view of the complexity of the situation, he agreed with the representative of Turkey that further consultations were necessary.

6. Mr. ROSENSTOCK (United States of America) suggested that representatives of the regional groups should meet privately to discuss the matter further. The Western European and other States were prepared to work out an arrangement on which a consensus could be reached, since consensus was the only rational way for the Committee to proceed.

7. Mr. KOTEVSKI (Yugoslavia) said that, although Yugoslavia was geographically part of the Eastern European Group, it did not share the views expressed by the representative of Poland and it supported the candidacy of Mr. González-Gálvez.

8. Mr. CHEBELEU (Romania) said that he must regretfully dissociate his delegation from the position taken by the Eastern European Group. His delegation had stated during consultations that it whole-heartedly supported the candidacy of Mr. González-Gálvez because it firmly believed that the office of Chairman should rotate among the geographical regions.

9. Mr. BUENO (Brazil) said that his delegation also believed in the principle of rotation and whole-heartedly supported the nomination of Mr. González-Gálvez. He endorsed the comments made by the representative of Egypt and urged the Committee to expedite its work. Since there appeared to be only one candidate, the Committee could elect its Chairman and then hold consultations regarding the other officers.

10. The TEMPORARY CHAIRMAN noted that a rather strange situation had arisen: although the Committee normally took decisions by consensus, and although a majority of members of the Committee were in favour of the sole candidate, at least two regional groups had been unable to take a final decision which would permit a consensus to be reached. He asked whether the two groups considered that it would be possible for them to come to a decision in the near future.

11. Mr. ROSENSTOCK (United States of America) pointed out that it had been suggested that consultations should be held among representatives of the regional groups. He found it hard to believe that anyone would wish to start the session by refusing to hold such consultations. Accordingly, the Committee should proceed with such consultations forthwith.

12. Mr. CIEBELEU (Romania) said that he had no objection to consultations between regional groups, provided that they were open to all interested delegations.

13. Mr. CORTI (Argentina) said that his delegation was not normally in favour of refusing requests for consultations. However, consultations had been under way since the previous day and the Latin American Group had not yet been consulted. There seemed little point in agreeing to consultations unless they would in fact take place, particularly since members of the two groups concerned were also in favour of the Mexican candidate. He urged the Committee to elect its Chairman and then proceed with consultations on the remaining officers.

14. The TEMPORARY CHAIRMAN suggested that, although no delegation had formally opposed the request for consultations between representatives of the regional groups, it might nevertheless be advisable to suspend the meeting briefly.

15. It was so decided.

The meeting was suspended at noon and resumed at 1.15 p.m.

16. The TEMPORARY CHAIRMAN suggested that, since informal negotiations were still under way, the Committee should adjourn and meet again in the afternoon.

17. It was so decided.

The meeting rose at 1.20 p.m.

UNITED NATIONS

GENERAL
ASSEMBLY

Distr.
GENERAL

A/AC.182/SR.48
20 February 1981

ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

1981 session

SUMMARY RECORD OF THE 48th MEETING

Held at Headquarters, New York,
on Wednesday, 18 February 1981, at 3 p.m.

Temporary Chairman: Mr. SUY (Under-Secretary-General, The Legal Counsel)

CONTENTS

Election of officers (continued)

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The meeting was called to order at 5.25 p.m.

ELECTION OF OFFICERS (continued)

1. Mr. SUY (Under-Secretary-General, The Legal Counsel) announced that, following informal consultations, members of the Committee had arrived at the following agreement regarding the election of officers which he believed augured well for the Committee's future work: the Committee would have a Chairman, three Vice-Chairmen and a Rapporteur, and those officers should represent the different regional groups and, as far as possible, the various points of view held in the Committee. It would have a single, open-ended Working Group with the same Chairman and officers as the Committee. The chairmanship of the Committee, and hence also that of the Working Group, would be rotated and would go first to the Latin American Group, then to the Eastern European Group, the African Group, the Group of Western European and Other Countries and the Asian Group. On each occasion, a candidate would be proposed on behalf of the regional group concerned.

2. It had been agreed that that system of rotation should not prevent a representative of a country that was not committed to any of the points of view prevailing in the Committee from being elected Chairman by general agreement. It had also been agreed that any change in the order of rotation could be made only on the basis of a general agreement, and mainly in the event that a delegation invited the Committee to meet in its country. Lastly, all delegations had strongly recommended that, in conducting the work of both the Committee and the Working Group, the Chairman should consult closely and frequently with the other officers of the Committee.

The meeting rose at 5.30 p.m.

UNITED NATIONS

GENERAL ASSEMBLY

Distr.
GENERAL

A/AC.182/SR.49
23 February 1981

ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

1981 session

SUMMARY RECORD OF THE 49th MEETING

Held at Headquarters, New York,
on Thursday, 19 February 1981, at 10.30 a.m.

Temporary Chairman: Mr. SUY (Under-Secretary-General, the Legal Counsel)

Chairman: Mr. GONZALEZ GALVEZ (Mexico)

CONTENTS

Election of officers (continued)

Adoption of the agenda

Organization of work

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The meeting was called to order at 10.55 a.m.

ELECTION OF OFFICERS (continued)

1. The TEMPORARY CHAIRMAN recalled that the Committee had agreed to elect its Chairman for the 1981 session from among the members of the Latin American Group, and said he understood that the candidate from that Group was Mr. González Gálvez (Mexico).

2. Mr. GÜNEY (Turkey) said that the Group of West European and other States fully supported the candidature of Mr. González Gálvez.

3. Mr. González Gálvez (Mexico) was elected Chairman by acclamation.

4. Mr. González Gálvez (Mexico) took the Chair.

5. The CHAIRMAN invited the Committee to proceed to the election of three Vice-Chairmen.

6. Mr. GÜNEY (Turkey), speaking on behalf of the Group of West European and other States, nominated Mr. Broms (Finland) for the office of Vice-Chairman.

7. Mr. OLSZOWSKI (Poland), speaking on behalf of the East European Group, nominated Mr. Hucke (German Democratic Republic) for the office of Vice-Chairman.

8. Mr. Broms (Finland) and Mr. Hucke (German Democratic Republic) were elected Vice-Chairmen by acclamation.

9. The CHAIRMAN said that the election of the third Vice-Chairman would be postponed until a candidate had been agreed on in the course of informal consultations. He hoped that a nomination would be forthcoming as soon as possible. It also remained for the Committee to elect a Rapporteur.

10. Mr. CHATURVEDI (India) said that the Asian and African Groups hoped to submit nominations at the following meeting for the two remaining offices.

ADOPTION OF THE AGENDA (A/AC.182/L.23)

ORGANIZATION OF WORK

11. The CHAIRMAN said that, in the case of two of the topics before it, namely, the maintenance of peace and security and the peaceful settlement of disputes, the Committee had available to it a number of documents - some of them drawn up at the Manila session - which could provide a useful basis for further discussion. The third topic - rationalization of existing procedures of the United Nations - was less well-defined and had not been dealt with at the preceding session. However, it was important that the issue should not be left aside, and he therefore suggested that a small working group should be established to hold consultations and to draw up a summary of useful proposals.

(The Chairman)

12. He recalled that, as his country's representative at the preceding session, he had suggested that the Committee should not wait until it had completed its mandate before making recommendations on specific topics to the General Assembly.

13. Mr. ROSENSTOCK (United States of America) requested clarification with regard to the status of documentation on the topic of peaceful settlement of disputes. He wondered whether the draft Manila declaration was the only relevant document available to the Committee.

14. The CHAIRMAN said that he himself, speaking as the representative of Mexico at the preceding session, had expressed the view that the Manila declaration was incomplete and should be supplemented by other proposals.

15. Mr. MUSEUX (France) said that, at the Manila session, his delegation had submitted to the Secretariat a draft handbook on the peaceful settlement of disputes but there had not been time to have it circulated. He hoped that that could now be done.

16. Mr. ROMANOV (Secretary of the Committee) said that, if members agreed, the Secretariat would issue the text of the draft handbook for circulation as an official document of the Committee.

17. With regard to the organization of work, he suggested that, in the interests of economy and flexibility, it might be possible to dispense with interpreting services during some consultations on certain topics, since a more informal atmosphere was often conducive to greater progress in drafting constructive proposals.

18. Mr. MUSEUX (France) said that the interpreters played a very important role, particularly when the Committee was engaged in drafting a text. His delegation's position of principle concerning the languages used in the Committee was well known. The issue should not be prejudged at the present time.

19. Mr. FEDOROV (Union of Soviet Socialist Republics) said that his delegation often found it extremely difficult to work without interpretation, particularly when discussions on matters of substance were not merely a means of exchanging views but were part of the process of drafting specific documents. While his delegation might be prepared to agree to the use of a single language for procedural consultations and the like, it must insist that, where consultations were expected to lead to the actual formulation of texts, the Chairman should ensure that interpretation services were available; otherwise, confusion would ensue.

20. As for the suggestion that a small working group should be established, it was true that the use of small groups of that kind facilitated the production of documents; however, since the documents then had to be considered by the present body as a whole, some duplication of work resulted. It would therefore be desirable, particularly when dealing with specific fundamental topics, for the work to be done in a working group of the whole.

21. The CHAIRMAN said that, if there was no objection, he would take it that the Committee wished to adopt the provisional agenda contained in document A/AC.182/L.23.

22. The agenda was adopted.

23. The CHAIRMAN said that, although he was not setting any deadline, delegations which intended to revise any proposals or working papers they had submitted or to submit new documents should inform him as soon as possible.

24. Mr. CHEBELEU (Romania), supported by Mr. HUSEUX (France), suggested that the Committee should adjourn so that delegations could hold informal consultations on the suggestions made at the current meeting.

25. Mr. ROSENSTOCK (United States of America) agreed, since that would expedite the Committee's work. Once the election of the Bureau had been completed at the next meeting, the Chairman would be able to discuss with the other officers how the Committee might proceed, in the light of any suggestions made by delegations during the informal consultations.

The meeting rose at 11.50 a.m.

UNITED NATIONS

GENERAL ASSEMBLY

Distr.
GENERAL

A/AC.182/SR.50
23 February 1981

ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

1981 session

SUMMARY RECORD OF THE 50th MEETING

Held at Headquarters, New York,
on Thursday, 19 February 1981, at 3 p.m.

Chairman: Mr. GONZALEZ GALVEZ (Mexico)

CONTENTS

Election of the Vice-Chairman and Rapporteur

Organization of work

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The meeting was called to order at 3.30 p.m.

ELECTION OF THE VICE-CHAIRMAN AND RAPPORTEUR

1. The CHAIRMAN invited the Committee to elect a Vice-Chairman and Rapporteur.

2. Mr. BLANKSON (Nigeria), speaking on behalf of the African Group, nominated Mr. Elaraby (Egypt) for the office of Vice-Chairman.

3. Mr. Elaraby (Egypt) was elected Vice-Chairman by acclamation.

4. Mr. HAYASHI (Japan), speaking on behalf of the Asian Group, nominated Mrs. Ramiro-Lopez (Philippines) for the office of Rapporteur.

5. Mrs. Ramiro-Lopez (Philippines) was elected Rapporteur by acclamation.

The meeting was suspended at 3.40 p.m. and resumed at 3.55 p.m.

ORGANIZATION OF WORK

6. The CHAIRMAN said that consultations with the Chairman would be held as often as he deemed necessary, but that the Committee should give greater decision-making powers to the Vice-Chairman and the Rapporteur. A plenary meeting was to be held the following morning to discuss observers, but the meetings on Thursday and Friday and during the following week would be working group meetings. Morning meetings would be devoted to the question of the maintenance of international peace and security, and afternoon meetings to the peaceful settlement of disputes. The Committee would ask the Secretary-General to request a high-level official of the Secretariat to report orally to the Committee as soon as possible on the work accomplished to date on the rationalization of General Assembly procedures, so that a decision could be taken on the basis of that report. He suggested that specific proposals should be submitted to the General Assembly and that the establishment of a time-limit for the submission of proposals should be set by the sponsors. A decision on the other points raised at the previous meeting would be postponed.

7. Mr. MUSEUX (France) said that it was a hypothetical question whether or not recommendations should be made to the General Assembly and that, whatever the results of the Secretary-General's report on the rationalization of General Assembly procedures, France had proposals that it wished to discuss.

8. The CHAIRMAN said that all groups had agreed on the general outline of the organization of the Committee's work. If there were no objections, he would take it that the Committee agreed to his suggestions.

9. It was so decided.

10. The CHAIRMAN suggested that the question of the peaceful settlement of disputes should be given priority and announced that the relevant documents (A/C.6/35/L.5 and L.21, and A/C.6/35/WG.1/R.1) would be discussed in the working group to be convened following the Committee's meeting.

The meeting rose at 4.05 p.m.

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UNITED NATIONS

GENERAL ASSEMBLY

Distr.
GENERAL

A/AC.182/SR.51
24 February 1981

ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

1981 session

SUMMARY RECORD OF THE 51st MEETING

Held at Headquarters, New York,
on Friday, 20 February 1981, at 10.30 a.m.

Chairman: Mr. GONZALEZ GALVEZ (Mexico)

CONTENTS

Organization of work

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The meeting was called to order at 11 a.m.

ORGANIZATION OF WORK

1. The CHAIRMAN announced that three Member States - Chile, the Libyan Arab Jamahiriya and Peru - had asked to be allowed to participate in the Committee's work as observers. Although no clear practice had been established in that respect, the precedents set by many other committees dealing with legal questions might suggest that there was no reason not to allow observers to attend meetings of the Committee. Since part of the Committee's mandate was to conduct a general review of the manner in which the Organization was functioning and the requests for observer status reflected the interest of the States in question in that aspect of the Committee's work, he suggested that they should be granted observer status, on the understanding that (a) they could attend meetings of the plenary Committee and speak at such meetings, and (b) they could attend meetings of the Working Group without the right to speak. The latter point was important, since most of the Committee's work would be conducted in the Working Group.

2. Mr. ROSENSTOCK (United States of America) said that a clear decision had been taken two years previously not to allow observers to attend meetings of the Committee. More recently, another committee had decided that observers could attend plenary meetings but not meetings of a working group. In his opinion, both precedents were relevant to the situation under consideration. However, in view of the fact that any State Member of the United Nations could attend any open meeting of any United Nations body, perhaps the matter could be settled by recognizing that right and deciding in each particular case whether or not a Member State should be allowed to speak in such meetings.

3. Mr. FEDOROV (Union of Soviet Socialist Republics) drew attention to the delicate balance established for the Committee's work and noted that the practices followed thus far took into account the delicate nature of the questions discussed. He therefore felt that the question of the granting of observer status should be discussed first in the regional groups and then in consultations among the representatives of those groups. He could not recall any instance when observer status had included the right to attend meetings of working groups; that went far beyond the normal status of observers. In 1971, the Special Committee on the Rationalization of the Procedures and Organization of the General Assembly had expressed the view that Member States should be allowed to attend plenary meetings of a committee. Accordingly, there was no need to grant special observer status to any Member State; should a State wish to express its views, the Committee merely had to decide whether or not to allow it to speak.

4. Mr. ELARABY (Egypt) said he fully supported the Chairman's suggestion that observer status, including the right to attend meetings of the Working Group, should be granted. The Working Group was actually a plenary body meeting informally in order to facilitate the Committee's work, and he therefore saw no reason why observers should be prevented from attending its meetings. In other bodies - for example, the Economic and Social Council - observers had the right to

speak at any meeting. Moreover, however delicate the Committee's work might be, everything it discussed was subsequently discussed in the Sixth Committee.

5. Mr. MUSEUX (France) agreed with the United States representative that a precedent existed in the Committee's previous decision not to grant a request for observer status and said that, in his opinion, that practice should be maintained. Moreover, as the representative of Egypt had noted, all Member States could present their views in the Sixth Committee. That was perhaps another reason for maintaining the Special Committee's restricted membership, as distinguished from the larger forum offered by the Sixth Committee. It was important not to allow the Committee to become a virtually open-ended body; its membership had been carefully weighed by the General Assembly. Accordingly, his delegation felt that the Committee should continue to follow its current practice, as had been agreed informally.

6. Mr. DE PAIVA (Brazil) said that he agreed with the representative of Egypt. His delegation did not think that the participation of observers in the Committee's work would be obstructionist; on the contrary, many other ad hoc committees of the General Assembly had granted observer status, and failure to do so would in fact set a precedent for United Nations organs.

7. Mrs. RODRIGUEZ (Venezuela) supported the comments made by the Chairman and by the representatives of Egypt and Brazil.

8. Mr. GÜNEY (Turkey) said that, since all three States had requested observer status because of their interest in the Committee's work, and since there were precedents both for and against the granting of such requests, including permission to attend meetings of working groups, his delegation did not see any reason why the States concerned should not be allowed to participate in the Committee's work, subject to the conditions outlined by the Chairman.

9. Mr. YOUGH (Nigeria) said that, inasmuch as the Committee had been asked to perform a very specific task, it might be dangerous to allow observers to participate in its work. However, the Committee did need the help of all who were interested, and he did not see any obstructionist tendency in the requests for observer status. It might well be in the Committee's interest to allow observers to participate in its work both at plenary meetings and in the Working Group.

10. Mr. HÜCKE (German Democratic Republic) said that it might be useful, first of all, to hold consultations within and between the regional groups. The question of formally granting observer status was a matter of principle for his delegation. The Committee had been established as a real working body, and its members had been appointed in a balanced way and with the consent of their regional groups. Moreover, the Committee worked on the basis of the principle of general agreement. His delegation therefore felt that the granting of observer status would enlarge the number of participants in the Committee's deliberations in an unbalanced manner, thus making it more difficult to obtain the necessary general agreement. Moreover, since only a limited amount of time was available to the Committee, any enlargement of the number of speakers would prevent it from ever finishing its

(Mr. Hücke, German Democratic Republic)

work. Accordingly, his delegation would refer to the right of any Member State to attend the Committee's meetings and to take the floor, if the Committee so decided, or to speak on matters of interest to it in the Sixth Committee.

11. Mr. OUYANG Chuping (China) said that, in his delegation's view, the Committee should welcome the three States that had requested observer status. As some speakers had mentioned, other committees whose work was also related to that of the Sixth Committee allowed observers to attend their meetings. The Special Committee should therefore likewise allow observers to contribute to its work, although the extent of their participation could be decided in each particular situation. Moreover, since the Committee's work would be concentrated in the Working Group, it would be meaningless to grant observer status if the observers were not allowed to attend meetings of the Group. Accordingly, his delegation believed that observers should be allowed to attend meetings of both the Committee and the Working Group with the right to speak.

12. Mr. BROMS (Finland) said it was not quite correct to say that the Committee had set a formal precedent two years previously for excluding observers from its meetings. One delegation had inquired about the possibility of obtaining observer status but had chosen not to press the issue when private approaches to the regional groups had revealed a reluctance on their part to agree, on the ground that that might encourage a spate of other requests to participate in a committee whose membership was, after all, limited. The same delegation had later expressed the desire to make a statement before the Committee, but had been persuaded to reserve its comments for the following session of the General Assembly when it became apparent that at least one of the regional groups, and perhaps several, would have insisted on putting the question to a vote. His delegation had no objection to allowing other delegations to attend the Committee's meetings but feared that, if requests to speak multiplied, the Committee's debates would become unduly protracted.

13. Mr. OLSZOWSKI (Poland) said the precedents indicated that the Committee should be cautious in granting privileges to observers; otherwise, it would run the risk of acting contrary to the decisions of the General Assembly which had given the Committee its mandate. In the circumstances, he believed that time should be allowed for discussions on the question within and between the regional groups, in the hope of reaching a consensus.

14. Mr. FERRARI-BRAVO (Italy) said that his delegation was not in principle opposed to allowing observers to attend meetings of United Nations committees. However, the Special Committee's Working Group was much more in the nature of a small negotiating group than most such bodies, and he feared that the participation of observers might impair the Group's flexibility. Where plenary meetings were concerned, his delegation could agree either to the admission of observers or to the course of action proposed by the United States representative, which it believed would be the better solution for the time being in order to avoid dividing the Committee.

15. The CHAIRMAN suggested that the Committee should allow the regional groups time to consult on the matter before reaching a final decision.

16. It was so decided.

17. Mr. ROSENSTOCK (United States of America) drew attention to General Assembly resolution 35/164, paragraph 10, requesting the Secretary-General to give high priority to the preparation and publication of the supplements to the Repertoire of the Practice of the Security Council and the Repertory of Practice of United Nations Organs in order to bring those publications up to date as quickly as possible. It seemed that there might be grounds for concern about the extent to which the General Assembly's decision could be, had been and would be put into practice. He requested that the Secretariat should report formally to the Committee on what was being done in compliance with the paragraph he had mentioned.

18. Mr. MUSEUX (France) and Mr. ZEMENTNER (Federal Republic of Germany) supported that request.

19. The CHAIRMAN agreed on the importance of the Repertory and the Repertoire for Member States and said he believed that efforts to ascertain, through the Secretariat, the current status of the two publications would meet with the concurrence of the entire Committee. He accordingly suggested that the Committee should endorse the United States representative's request.

20. It was so decided.

The meeting rose at 11.50 a.m.

UNITED NATIONS

GENERAL ASSEMBLY

Distr.
GENERAL

A/AC.182/SR.52
6 March 1981

ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

1981 session

SUMMARY RECORD OF THE 52nd MEETING

Held at Headquarters, New York,
on Monday, 2 March 1981, at 3 p.m.

Chairman: Mr. GONZALEZ GALVEZ (Mexico)

CONTENTS

Organization of work

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The meeting was called to order at 3.35 p.m.

ORGANIZATION OF WORK

1. The CHAIRMAN said that, as requested by the Committee, a representative of the Legal Counsel would report orally on the question of the publication of the Repertory of Practice of United Nations Organs. The delay in publication was a problem which concerned the Committee, especially in connexion with the rationalization of procedures. His own country, Mexico, had frequently pointed out the different manner in which various United Nations bodies interpreted the Charter in applying it in specific cases and had stressed the resulting need to update the Repertory in all the official languages of the Organization, so that delegations would be informed regarding the application of the Charter in the past.

2. Mr. SZASZ (Office of Legal Affairs), reporting on the measures taken by the Secretariat to implement paragraph 10 of General Assembly resolution 35/164, with specific reference to the preparation and publication of supplements to the Repertory of Practice of United Nations Organs, said that the Office of Legal Affairs co-ordinated the preparation and publication of the Repertory under the direction of the Inter-Departmental Committee on Charter Repertory, constituted by the Secretary-General. Draft studies on individual Articles of the Charter for inclusion in the Repertory were, however, prepared by various units of the Secretariat in accordance with their operational responsibilities and submitted for review to the Office of Legal Affairs.

3. The publication of Supplement No. 4 to the Repertory, covering the period from 1 September 1966 to 31 December 1969, had been delayed owing to various factors, but work on it was now near completion. The co-ordination and editorial work on volume I, covering Articles 1 to 54 of the Charter, had been completed in April 1980 and it was expected to be published by the end of 1981. The co-ordination work on volume II, covering Articles 55 to 111, and the editorial work on 44 of a total of 59 draft studies to be included in that volume had been completed by December 1980. The editorial work on the remaining 15 draft studies was currently in progress and was expected to be completed by April. The publication of volume II was scheduled for 1982.

4. With a view to bringing the Repertory up to date as quickly as possible, the Inter-Departmental Committee on Charter Repertory had decided that Supplement No. 5 should cover a nine-year period, from 1 January 1970 to 31 December 1978, and had requested the Secretariat units concerned to prepare draft studies on the Articles allocated to them and submit them for review to the Office of Legal Affairs by 31 December 1980. A few units had indicated that they would be unable to meet that deadline. In the meantime, in order to facilitate the preparation of draft studies on Charter Articles by the Secretariat units concerned in accordance with the recommendation of the Committee for Programme and Co-ordination, the Office of Legal Affairs had issued in October 1979 a Manual for the Preparation of the Repertory of Practice of United Nations Organs and had also conducted, on 2 April 1980, an interdepartmental seminar on the preparation of Supplement No. 5

to the Repertory. However, by 31 December 1980, only 19 out of a total of 121 draft studies on Charter Articles to be included in Supplement No. 5 had been received for review in the Office of Legal Affairs. Consequently, the Inter-Departmental Committee would be meeting shortly in order to review the progress made by the Secretariat units concerned, which it was hoped would, as a result, expedite the preparation and submission of draft studies for review.

5. Although four volumes of Supplement No. 3 to the Repertory, covering the period from 1 September 1959 to 31 August 1966, had been published in English during 1971-1973, the French and Spanish versions of those volumes had not yet been published. The French and Spanish versions of volume I of that Supplement were now expected to be published during the current year; the other three volumes were still being translated and were expected to be published during 1982. The publication in French and Spanish of the table of contents and subject index to Supplements Nos. 1-3 to the Repertory, which had been published in English in 1979, would be undertaken subsequently.

6. The English versions of the basic five volumes of the Repertory and the table of contents and subject index thereto had been reprinted during July and August 1980. The reprinting of the French and Spanish versions of that material, as well as the English, French and Spanish versions of two volumes of Supplement No. 1, which were also out of stock, had been initiated, and it was hoped that those reprints would be available prior to the thirty-sixth session of the General Assembly.

7. Details and updated information on all those matters would be included in the Secretary-General's progress report to the General Assembly at its thirty-sixth session.

8. Mr. ELARABY (Egypt) said that his delegation and many others attached great importance to the publication of the Repertory, and expressed the hope that prompt action would be taken in order to bring it up to date.

9. Mr. ROSENSTOCK (United States of America) said that the Committee should be given sufficient time to consider the information provided by the representative of the Legal Counsel in order to be able to discuss it at a plenary meeting in the near future.

10. Mr. MUSEUX (France) said that his delegation attached great importance to the Repertory and would like to revert to the subject at a later date, with particular reference to the factors which had delayed its publication in languages other than English.

11. The CHAIRMAN said that the Working Group on the maintenance of international peace and security was continuing to examine the proposals made by various delegations. Although proposals were examined individually, delegations could refer to groups of proposals which concerned specific points under consideration. The Working Group on the peaceful settlement of disputes had finished the first

(The Chairman)

reading of the draft Manila Declaration, and he suggested that, in order to expedite matters, informal consultations should be held on the preamble and the final provisions. In that connexion, he requested the co-operation of delegations which did not use English, since the informal consultations would have to be conducted without the benefit of interpretation. However, decisions on those parts of the draft declaration would only be taken when all delegations had the advantage of simultaneous interpretation into the working languages. He would shortly be making some suggestions as to how the Committee might proceed on the question of rationalization of the procedures the of the General Assembly. Lastly, he urged members to be punctual in attending meetings in order to make maximum use of the time and facilities available.

12. Mr. CHEBELEU (Romania) said that he supported the views expressed by the Chairman regarding the organization of work. However, his delegation strongly objected to the manner in which the Secretariat had decided to deprive the Committee of two of its meetings scheduled for Thursday, 26 February. His delegation had already requested an explanation from the Secretariat as to why such an arbitrary decision had been taken without prior consultation with the Committee. The only information which had been furnished was that the cancellation of those two meetings had been caused by the large number of meetings scheduled for that day. His delegation would like the Secretariat officials responsible to appear at a plenary meeting of the Committee and explain the reasons which had led to that decision. In addition, it proposed that the Committee should hold two night meetings or extend the session of the Committee by one day until Monday, 16 March, in order to make up for the cancelled meetings.

13. Mr. BROMS (Finland) said that, so far as the peaceful settlement of disputes was concerned, no further proposals had been made with regard to the preamble and the final provisions of the draft Manila declaration. Some delegations had expressed the desire to discuss those sections in the Working Group, and he asked the Chairman whether that would be possible.

14. The CHAIRMAN said that any delegation wishing to comment on the preamble and the final provisions of the draft declaration would be able to do so at a meeting of the Working Group convened for that purpose.

15. Mr. CHATURVEDI (India) said that his delegation had certain difficulties with the final provisions of the draft declaration and would like to discuss those provisions further.

16. Mr. EL-BANHAWY (Egypt) said that his delegation fully supported the statement made by the representative of Romania and objected to the manner in which the two meetings had been cancelled. He also supported the proposal that two night meetings should be scheduled or that the session should be extended by one day to make up for the cancelled meetings.

17. The CHAIRMAN said that it would be better to hold two night meetings, since extending the session by one day would inconvenience many delegations.

18. Mr. MUSEUX (France) said that his delegation did not want to pass judgement on the decision to cancel the two meetings, in view of the heavy servicing schedule facing the Secretariat. Nevertheless, the delegations of Romania and India had requested information on why that decision had been taken, and so far the Secretariat had not provided it. He therefore insisted that the Committee should be fully informed of the reasons which had led to that decision. His delegation was in favour of scheduling two night meetings rather than extending the session, which would cause inconvenience to many delegations.

19. Mr. ROSENSTOCK (United States of America) said that he agreed with the representative of France on the impropriety of passing judgement on the decision taken by the Secretariat before all the facts were known. Furthermore, the cancellation of the meetings had not interrupted the work of his delegation, which had used that time productively. Lastly, he pointed out that according to the Journal it was the Group of 77 which had met on the morning of 26 February in the conference room normally used by the Committee.

20. Mrs. de PEREYRA (Venezuela) said that she was in favour of scheduling two night meetings rather than extending the session, which would cause considerable inconvenience to her delegation.

21. Mr. EL-BANHAWY (Egypt) said that his delegation was not prejudging the action taken by the Secretariat but was merely requesting an explanation of why the decision had been taken without prior consultation with the Committee. Once the facts were known, a judgement could be made.

22. Mr. OSAH (Nigeria) said that his delegation fully supported the views expressed by the representatives of Romania and Egypt, who were not prejudging the Secretariat but were merely seeking an explanation of the reasons for cancelling the two meetings. The Romanian delegation had already requested such information, and it was only fitting that the Secretariat should comply with that request. Lastly, whether it was the Group of 77 or some other group that had met in the conference room normally used by the Committee was irrelevant.

23. Mr. SHIRNOV (Union of Soviet Socialist Republics) supported the views of the Chairman concerning the organization of work and the need for informal consultations with respect to the peaceful settlement of disputes. His delegation considered such consultations to be useful, although it encountered some difficulties because of the lack of simultaneous interpretation. It was hard to see how the Chairman could make substantive recommendations on the rationalization of procedures without prior discussion of that topic in the Committee.

24. With respect to the cancellation of the two meetings, his delegation believed that the Secretariat had had sufficient reason not to provide services on that day. Nevertheless, he felt that the Secretariat should explain the reasons leading to that decision. At the present stage, he could not support any proposal or statement condemning the action of the Secretariat. Furthermore, his delegation had participated in consultations on the peaceful settlement of disputes and had used that time productively. He did not feel that it was necessary to take immediate steps to compensate for the two cancelled meetings, but would agree to the scheduling of night meetings if most delegations considered it necessary.

25. Mr. ROSENSTOCK (United States of America) said that his delegation had no objection to the Committee's spending time discussing the issue raised by the representative of Romania, just as it had had no objection to the Committee's adjourning early or scheduling later starting times in order to enable various groups to meet. His delegation's only objection was to the accusation, before the Committee had all the facts, that the decision taken by the Secretariat had been arbitrary. That accusation was not only uncalled for but improper.

26. Mr. ROMANOV (Secretary of the Committee), replying to the questions which had been asked concerning compensation for the time lost as a result of the cancellation of meetings on 26 February, said that he had received a memorandum from the Chief of the Planning and Meetings Servicing Station indicating that requests for night or weekend meetings should be made to the Director of the Interpretation and Meetings Division as early as possible, but no later than 24 hours before the desired date. That clearly implied that the Committee was authorized to hold night or weekend meetings. The extension of scheduled sessions was a matter for the Committee on Conferences to consider and decide. If the Special Committee so wished, he would relay a request for an extension to the appropriate Secretariat services so that the Committee on Conferences could take up the matter.

27. Immediately upon being informed of the cancellation of the Thursday meetings, he had telephoned the conference room where a meeting of the Working Group had been in progress to advise the Secretary of the Working Group of the cancellations, and he assumed that she had passed that information on to members. After the suspension of the Working Group's meeting on Friday morning, he had brought the matter to the attention of the Director of the Interpretation and Meetings Division. In a memorandum dated 27 February 1981, which he (Mr. Romanov) had brought to the attention of the Chairman of the Committee, the Director of the Division had expressed gratitude to the Special Committee for releasing conference-servicing resources originally earmarked for it and had indicated that an extraordinary situation had arisen on Wednesday, 25 February, when, with all available interpreters already assigned to meetings scheduled for the following day, two urgent requests had been received for additional meetings in connexion with the resumption of the thirty-fifth session of the General Assembly. The Director had stated that he trusted that the cancellation of the two meetings would not create any inordinate difficulty for the Special Committee in completing its work as scheduled and had observed that, as the utilization of conference-servicing resources by the Committee so far had been relatively low, a special effort to begin meetings promptly and make full use of the time available for meetings might ultimately compensate for the loss of the two meetings on Thursday. The Director had noted further that, on average, the Special Committee had not used 40 minutes per meeting owing to late starting and 18 minutes per meeting owing to early adjournment. Cumulatively, 14 hours and 5 minutes had been unused, representing a notional loss of approximately five full meetings. Such information was normally brought to the attention of committees at the end of their sessions, and he (Mr. Romanov) understood that the statistics provided in the Director's memorandum represented an interim report as at the date of the memorandum. It was his duty as Secretary to apprise the Committee of its record in utilizing conference-servicing resources only at the end of the session.

28. Mr. CHEBELEU (Romania) said that the information and explanations provided were still far from satisfactory. No one in the Secretariat had the right to decide which bodies should be given priority in the allocation of conference-servicing resources. Moreover, the official responsible for cancelling the meetings of the Working Group had not considered it necessary to consult first with the Special Committee or to inform it of the situation sufficiently in advance to enable it to make alternative arrangements for putting its time to best use. Such treatment was unacceptable.

29. Mr. BROMS (Finland) said it was, of course, regrettable that the Committee had lost two meetings. However, it had not lost all its time on Thursday, since the Chairman had organized informal consultations. Moreover, the time lost on Thursday was not of decisive importance when compared with the 14 hours and 5 minutes that had been lost for other reasons. He appealed to members not to lay the blame on the Secretariat or to waste even more time in discussing the matter.

30. The CHAIRMAN said that a number of delegations had requested the inclusion in the agenda of the question of observers, despite the fact that the regional groups had been unable to agree on how that matter should be dealt with. It would be recalled that at the preceding meeting he had suggested that observers should be authorized on a case-by-case basis to attend and make statements in plenary meetings and to attend meetings of the Working Group without the right to speak. However, it had proved impossible to reach agreement on that suggestion also, and the Committee had taken no formal decision on the matter.

31. Mr. EL-BANHAWY (Egypt) observed that two weeks of the session had already gone by and it was time for the Committee to take a formal decision on the question of observer status. The requests for observer status already received had been endorsed by the Non-Aligned Group and the African Group, and his delegation wished to know what the position of the other groups was.

32. Mr. ROSENSTOCK (United States of America) said that no objections had been raised to considering requests from non-members to make statements in plenary meetings. To his knowledge, however, no such request had been made. Accordingly, the question of observer status remained hypothetical. If a non-member wished to make a statement in the Committee, the previous debate suggested that no objections would be raised by any member.

33. Mr. DE PAIVA (Brazil) supported the requests for observer status that had been made and urged that they should be granted.

34. The CHAIRMAN said that requests for observer status had been received from the Libyan Arab Jamahiriya, Peru, Chile, Morocco, the Holy See and Swaziland. There had been no specific request to make a statement in the Special Committee; that did not reflect a lack of interest in doing so, but rather the fact that non-members were awaiting a decision by the Committee on the general question of observer status. In view of the failure of the regional groups to reach agreement, he suggested that the Committee should authorize him to consult with the representatives of those countries which had already made requests for observer status in order to clarify their aims and to propose a compromise solution at a subsequent meeting.

35. Mr. EL-EATHAWY (Egypt) said that the Committee could decide at a later stage on the extent to which observers could participate in its work. The general question of observer status should, however, be settled at the current meeting.

36. Mr. MUSEUX (France) said that the matter should be settled pragmatically, and he endorsed the Chairman's suggestion.

37. Mr. GÜNEY (Turkey) said that his delegation favoured the granting of observer status in accordance with established United Nations practice. It was not right to leave the matter unresolved any longer.

38. The CHAIRMAN said that, if there was no objection, he would take it that the Committee wished to follow the course of action he had suggested.

39. It was so decided.

The meeting rose at 5 p.m.

UNITED NATIONS

GENERAL ASSEMBLY

Distr.
GENERAL

A/AC.182/SR.53
12 March 1981

ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

1981 session

SUMMARY RECORD OF THE 53rd MEETING

Held at Headquarters, New York,
on Wednesday, 4 March 1981, at 3 p.m.

Chairman: Mr. GONZALEZ GALVEZ (Mexico)

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81-55253

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The meeting was called to order at 3.40 p.m.

ORGANIZATION OF WORK

1. The CHAIRMAN reported that the consultations on whether or not to admit observers to the Committee meetings had so far achieved no positive results although most delegations had supported his view that, taking into account the mandate of the Committee which related to the whole functioning of the Organization, the Committee should be open-ended. However, in the light of the difficulties that were encountered, he wished to make the following ruling: the Committee should allow observers from all States which requested such status to participate in its work; observers would be entitled to make statements in the plenary meetings of the Committee with the latter's prior authorization; negotiations would continue on the question of the participation of observers in the Working Group, but account should be taken of the fact that there was no provision or decision to the effect that the Working Group's meetings should be closed.

2. Turning to the question of the Repertory of Practice of United Nations Organs, he said that the Legal Counsel would be available later in the meeting to answer any further questions which delegations might have on the subject. The publication and updating of the Repertory was one of the most important elements in the Committee's work, and he invited delegations to express their views on it.

3. Mr. ECONOMIDES (Greece) reiterated his delegation's view that the Repertory was an extremely important source of information on United Nations law and practice. In its report to the General Assembly, the Committee could take note of the statement made at the preceding meeting by the representative of the Legal Counsel, but it might also attempt to go a little further. He believed that some possibilities had yet to be explored. For instance, the Committee might suggest to the Assembly that the Secretariat should report systematically to the Sixth Committee on all progress made with regard to the Repertory.

4. Mr. ZEHENTNER (Federal Republic of Germany) said his delegation shared the view that priority must be given to updating and reprinting the Repertory. He would like to seek further clarification from the Secretariat on a number of points. For instance, he wished to know why the work on Supplement No. 5 was not proceeding as quickly as it should. The representative of the Legal Counsel had reported that only 19 out of 121 draft studies had been received by the end of December 1980 and that an interdepartmental committee was to review the situation. He wondered what could be done to remedy that delay. Mention had also been made of various factors which had considerably delayed the publication of Supplement No. 4: he would like to know what those factors were. Lastly, he wished to know why Supplement No. 3, which had been produced in English in 1971-1973, was still not available in French and Spanish.

5. Mr. ELARABY (Egypt) endorsed the comments made by the representative of the Federal Republic of Germany. It was vital that the Repertory should be updated if it was to have any kind of continuity, and he hoped that it would be available in all the official languages.

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6. Mr. ROSENSTOCK (United States of America) observed that the Secretariat's response to the questions just raised by the Federal Republic of Germany would be critical to the Committee's future work, and he hoped that the Legal Counsel would be able to respond at the present meeting.

7. Mr. BROMS (Finland) felt that, once the Committee had been informed that work was progressing on the Repertory, it could not do much more than request those responsible to expedite their work. A repertory of that kind would always be several years out of date by the time it was published, unless the system of compilation was changed. The Committee might therefore propose to the Office of Legal Affairs that, in future, new material should be collected and classified on a continuous basis so that it was ready for publication at regular intervals. If five or six years were allowed to elapse before work resumed on each supplement, there would always be delays.

8. Mr. MUSEUX (France) endorsed the comments made by previous speakers.

9. Mr. VIÑAL (Spain) reiterated his delegation's concern at the considerable delay in producing the Repertory, particularly in Spanish, and said he trusted that the publication dates given at the preceding meeting would be observed, or even brought forward.

10. Mr. CHEBELEU (Romania) said that, while he believed that the updating of the Repertory was extremely important, there were more useful ways for the Committee to use the limited time available to it than in discussing the question. The Committee had been entrusted with very specific tasks by the General Assembly, and those tasks did not include taking action on the Repertory.

11. The CHAIRMAN observed that publication of the Repertory was one of the most effective means for rationalizing the procedures of the United Nations.

12. He suggested that the meeting should be suspended until the Legal Counsel was present to answer the questions raised by various delegations. In the meantime, the Committee could meet as the Working Group in order to continue its consideration of the questions referred to it.

The meeting was suspended at 4.05 p.m. and resumed at 5.05 p.m.

13. Mr. SUY (Under-Secretary-General, the Legal Counsel), replying to the question from the representative of the Federal Republic of Germany about what could be done to remedy the delay in publication of the next supplement to the Repertory, said that preparation of the Repertory was residual in nature. The departments concerned submitted drafts to the Office of Legal Affairs, and the language services involved translated the final English version into their respective languages. Giving higher priority to the publication of the Repertory would entail the allocation of greater resources on the basis of a decision by the General Assembly. With the resources currently available, the Repertory could only be produced very slowly.

(Mr. Suy)

14. With respect to the second question put by the representative of the Federal Republic of Germany, concerning the various factors causing the delay in the publication of Supplement No. 4, he said that until 1970 the Office of Legal Affairs had been equipped with a special unit to co-ordinate and edit the Repertory. The dissolution of the special unit had considerably slowed down work on Supplement No. 4. With the resources now available, it was not possible to work at a faster rate.

15. As to why Supplement No. 3 had not yet appeared in French and Spanish, he said that the translation of the Repertory into those languages had been delayed because of the ever-increasing burden of other documentation in the 1970s. Eventually, arrangements had had to be made for translation of the Repertory by outside translators, using funds saved from other publications.

16. The representative of Egypt had expressed the hope that the supplements could be issued in all the official languages. The Repertory had always been prepared in English and then translated into French and Spanish; if it was to be translated into additional languages, the General Assembly would have to appropriate more money for that purpose. Of course, if such a new policy was to be applied retroactively, some 16 volumes with indexes would have to be translated and the cost would be enormous.

17. The representative of Finland had suggested that the Secretariat might collect and classify new material on a continuous basis and that such material should be published at regular intervals. That would be feasible but would require a special unit to monitor the practice of United Nations organs on an ongoing basis.

18. Replying to the representative of Spain concerning the delay in issuing the Spanish version of the Repertory, he said that volume I of Supplement No. 3 would appear in Spanish in 1981 and volumes II, III and IV in 1982. The translation of volume I of Supplement No. 4 would be requested as soon as it was published in English, and the translation of volume II would be requested in 1982. When the translations could be provided would, of course, depend on the language services of the Secretariat.

19. Mr. ROSENSTOCK (United States of America) said that apparently, at or about the time when the special unit in the Office of Legal Affairs responsible for the Repertory had been disbanded, a new post had been requested for work on the Repertory and had in fact been established by the General Assembly. His delegation had understood that to be the reason for the Assembly's refusal, at its thirty-fifth session, to approve the request for an additional post for the Office of Legal Affairs. It would not, therefore, seem necessary to expand the staff very greatly in order somewhat to expedite the timely production of the Repertory, and the idea suggested by the representative of Finland might not be too unfeasible. If material was kept current, it should not take very much time to put it in final form. He asked whether the Advisory Committee on Administrative and Budgetary Questions had been correct in asserting that a post had already been approved for work on the Repertory.

20. Mr. BROMS (Finland) observed that the Legal Counsel had painted a rather gloomy picture. He was surprised at how long it took to translate into Spanish, for example, texts that for the most part certainly existed in that language. Under normal conditions, two months would seem ample time for the translation of a supplement to the Repertory.

21. While it might in fact prove necessary, as the Legal Counsel had stated, to establish an additional unit for work on the Repertory, the suggestion he had made earlier would not entail a doubling of the workload. Gathering information on a continuous basis would make the final preparation of supplements to the Repertory much easier.

22. It was to be hoped that, if the translation of the supplements could not be done by the Secretariat language services in good time, consideration would be given to the possibility of having the work performed by outside translators. He was sure that the cost would not be prohibitive.

23. Mr. VIÑAL (Spain) said that the delay in issuing the Spanish version of the supplements had less to do with the need for additional staff to compile the supplements than with the general problem of the staffing level of the Spanish Translation Service. The time had come to strengthen the Spanish Service so that it could cope with the ever-increasing workload of translation, and his delegation intended to raise that matter in the appropriate forum.

24. Mr. PIRIS (France) said that he too was surprised at the time required to translate a publication which was, for the most part, based on texts already available in the various official languages of the United Nations. He asked when the French version of the most recent supplement would be available and when it might become possible for the French version of supplements to be issued at the same time as the English.

25. Mr. ELARABY (Egypt) explained that, when he had referred to the translation of supplements to the Repertory into all the official languages, he had been thinking of the future. The matter was, of course, for the Fifth Committee to consider.

26. Mr. OSAH (Nigeria) said that it was difficult to reconcile the Legal Counsel's statement that preparation of the Repertory was a residual operation with the need for the establishment of a special unit. He asked why, if work on the Repertory was a residual operation, it had been necessary to establish a special unit in 1970 and whether, in view of the subsequent disbanding of the unit, it was necessary now to establish a new unit. In view of the interest shown by several delegations in the preparation of the Repertory, it would seem that some Member States did not regard it as a residual operation and adequate financing should be provided for that purpose.

27. Mr. ANDERSON (United Kingdom) observed that, if preparation of the supplements to the Repertory was a purely residual operation in all sections of the Secretariat, there was a risk that it would gradually come to be overlooked by

(Mr. Anderson, United Kingdom)

everyone. There was a need in any bureaucracy for someone to oversee a project. It was to be hoped that a way could be found within the existing appropriation to accelerate the production of the supplements to the Repertory: otherwise, they would fall so far behind as to lose all value.

28. Mr. ZEHENTNER (Federal Republic of Germany) said that the picture painted by the Legal Counsel was not encouraging. Delays in issuing the supplements to the Repertory were likely to impair their value. While understanding the administrative and budgetary constraints which existed, he believed that with additional efforts on the part of the Secretariat it should be possible to improve the situation without requiring additional resources. The idea put forward by the representative of Finland might be helpful in that connexion.

29. Mr. FERRARI BRAVO (Italy) asked what percentage of material appearing in the Repertory actually needed to be translated. He would have thought that much of the material already existed in the languages into which the Repertory was translated and that no more than 50 per cent was new.

30. Ideally, the practice of United Nations organs should be monitored as it evolved and the material gathered should be maintained in files. In that way, most of the work of compiling the supplements to the Repertory would be done in advance. It would be extremely useful to delegations if such files could be placed in the Legal Library, where they could be consulted pending the publication of the printed volume.

31. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that he looked forward to the progress report on the preparation and publication of the supplements to the Repertoire of the Practice of the Security Council and the Repertory which the Secretary-General had been requested to submit to the General Assembly at its thirty-sixth session. The Secretariat should redouble its efforts to issue the two publications more promptly, within the available resources, by redeploying staff and eliminating programmes that were obsolete or of lower priority.

32. Mr. VERCELES (Philippines) said that the preparation of supplements to the Repertoire and the Repertory should not be regarded as a residual operation, especially since the General Assembly, in its resolution 35/164, had requested the Secretary-General to give high priority to those publications. The paucity of resources available for preparation of the supplements was not the fault of the Secretary-General, but rather of the General Assembly. In that connexion, the Committee might recommend that the question of resources for the preparation of the two publications should be reviewed at the thirty-sixth session.

33. Mr. SUY (Under-Secretary-General, the Legal Counsel) suggested that, in view of the number of questions to which his statement had given rise and the lateness of the hour, he should reply to them at a subsequent meeting.

34. It was so decided.

The meeting rose at 5.50 p.m.

UNITED NATIONS

GENERAL ASSEMBLY

Distr.
GENERAL

A/AC.182/SR.54
16 March 1981

ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

1981 session

SUMMARY RECORD OF THE 54th MEETING

Held at Headquarters, New York,
on Wednesday, 11 March 1981, at 4 p.m.

Chairman: Mr. GONZALEZ GALVEZ (Mexico)

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81-55296

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The meeting was called to order at 5.20 p.m.

ORGANIZATION OF WORK

1. The CHAIRMAN said that, if there were no objections from the floor, the Observers for Chile and Peru would be allowed to make a statement.

2. Mr. DIEZ (Observer for Chile) said that his delegation had been following the work of the Committee with increasing interest, and stressed Chile's commitment to the purposes and principles of the Organization. His delegation had carefully studied the informal compendium of proposals before the Committee on the maintenance of international peace and security, and felt that they should be analysed as a whole and individually to determine which ones would be most conducive to the achievement of the objectives of the Charter. Chile had stated that it was in favour of the elaboration of a draft declaration on the peaceful settlement of disputes in response to General Assembly resolution 34/102. It had also participated in the Working Group on the Peaceful Settlement of Disputes and co-sponsored General Assembly resolution 35/160 on the subject. His delegation would like to see an international instrument containing norms for codification and development of procedures for the peaceful settlement of disputes, a principle of jus cogens the infringement of which was internationally unlawful and gave rise to international responsibility. Not only should the principle itself be safeguarded, as well as the means of implementation afforded by international law, but the parties to a potential conflict should be protected from any outside interference which could serve as an additional source of discord and make agreement more difficult to reach. Moreover, the States involved should refrain from any action which might predispose the general public to oppose the solution of a problem by peaceful means.

3. Not only was it essential to use procedures for the peaceful settlement of disputes in good faith but there must also be a pre-existing political and moral will on the part of States to commit themselves to the peace-making process and eliminate all obstacles in its way. And, once agreement was reached on the peaceful means to be applied by agreement the application of the agreed means should be scrupulously effected so that the advantages deriving from them would be permanent. The peaceful settlement of a dispute was not an isolated action confined to a single moment in time but covered an entire period and involved a position of principle which encompassed the genesis of the problem, its solution and the subsequent consolidation of the settlement. The Charter and many universally accepted international instruments embodied those basic principles. However, tensions persisted in various parts of the world, and the Organization should strengthen the system for the peaceful settlement of disputes in the light of current requirements and the complexity of contemporary international relations. Chile pledged its best efforts to that task and was ready to co-operate in the important work of the Committee to the best of its ability.

4. Mr. CALLE (Observer for Peru) said that the questions of the maintenance of international peace and security and the peaceful settlement of disputes were matters that needed to be studied more carefully than ever at the present time with a view to

(Mr. Calle, Observer, Peru)

finding solutions which, while strictly compatible with the principles of the Charter, would make for further conceptual development. No peace-loving State could remain indifferent to, or aloof from that great task but all must work together to find norms and mechanisms to solve the complex problems of the contemporary world. Peru pledged its co-operation in that effort, and for that reason had asked to be admitted as an observer. The work of the Committee fell within a clearly defined framework, informed by the precepts of the Charter. It was thus quite clear that the conceptual development of the principles of the Charter required recognition of all the norms of international coexistence which, in accordance with international law, were the corner-stone of modern international relations. Respect for commitments entered into by States the faithful fulfilment of international obligations, and the pledge to live in peace with other States in accordance with the Charter and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States, were all hallowed principles which should be given particular attention in the important work of the Committee. His delegation hoped that the Committee would make real progress in the difficult but not impossible task entrusted to it at its current session.

5. Mr. SUY (Under-Secretary-General, The Legal Counsel) wished to clarify some points, that appeared to be unclear, on the subject of the Repertory of Practice of United Nations Organs.

6. The first substantive step in preparing a new Supplement was the drafting of studies on the 111 Articles of the Charter. That task was assigned in each case to the Secretariat unit most closely concerned with the Charter Article in question. Conforming to the present structure of the Secretariat, the 121 studies were assigned to 10 separate departments. When completed, each draft study was submitted to the Office of Legal Affairs for a preliminary review, which generally resulted in a request to the originating unit to revise its draft, a process which might have to be repeated several times. It was then reviewed by the Review Committee, whose review might result in the immediate clearance of the study or its return for further revision. After clearance by the Review Committee, each study was submitted to a special editorial unit, operating under the joint supervision of the Office of Legal Affairs and the Department of Conference Services. As soon as enough studies to constitute a complete volume had been edited, they were submitted to the Publishing Division. After a volume had been published in English, it was again submitted to the Publishing Division for translation into and publishing in French and Spanish. Once sufficient Supplements had been published to justify the preparation of a new Index, the task was undertaken by the Indexing Section of the Dag Hammarskjöld Library. The preparation of each of those massive compendia also required extensive administration and co-ordination, a task which had, in spite of its essentially non-legal nature, historically fallen to the Office of Legal Affairs. Thrcugh the early 1970s, the Office of Legal Affairs had received considerable support in the administrative work from a special small editorial unit financed by the Department of Conference Services; with the completion of Supplement No. 3, however, the general financial stringency prevailing in the Organization had necessitated the discontinuation of that unit.

(Mr. Suy)

7. In 1971, a special post of Repertory Officer had been added to the General Legal Division of the Office of Legal Affairs, in response to an original request for two such posts. Previously, the Office of Legal Affairs had relied extensively on consultants, but starting in the 1970s the availability of funds for consultants had been much reduced by the General Assembly, and that source of assistance was no longer available.

8. Although the exigencies of the ever-increasing amount of work assigned to the Office of Legal Affairs had made it generally impractical for the Office to assign one official permanently and on a full-time basis to Repertory work, it could easily be shown that the work performed by numerous legal officers on the Repertory far exceeded the capacities of one senior official. The Office had repeatedly asked either that the task of administering the preparation of the Repertory should be transferred to some other unit or that an additional administrative post should be assigned to the Office. However, those requests had always been turned down, generally on the grounds that a post for a Repertory Officer had been created in 1971. The negative decisions had unfortunately taken no account of the fact that the single post had already been insufficient when initially established, and that the increasing pressure of legal work in the Office had made it increasingly impractical to assign a legal officer to perform the extensive non-legal work associated with the production of the Repertory.

9. That the Repertory operation was residual, and was generally carried out with resources available after more urgent tasks had been accomplished, was the result not of a deliberate decision but of necessity. Almost all the work of the Office of Legal Affairs was of a current nature, and very little of it was devoted to long-range projects whose timing could be subordinated to work on the Repertory. If the General Assembly felt a greater sense of urgency about the Repertory - which would certainly require a strong recommendation from a deliberative body such as the Committee - and provided the additional posts needed, then a greater currency in the production of the Repertory could be foreseen. If States felt an urgent need for the up-to-date production of the Repertory, the resources must be made available to both the Office of Legal Affairs and the other departments concerned. The suggestion that all language versions of the Repertory should be prepared simultaneously was not a practical one, since simultaneous preparation would require extensive duplication of work and would not result in comparable versions. It had been suggested that, since large parts of the Repertory reproduced documents that had already been translated, the task of preparing the several language versions should be easier. However, the task was very complex when, for instance, a single sentence might contain quotations from several resolutions and its translation required that each of the resolutions should be located and the fragments correctly assembled to make a grammatical sentence in another language. It was also difficult to contract out the translation, since whoever undertook the task must have ready access to the full range of documentation quoted in the Repertory. Finally, it was largely a question of finances and of finding qualified translators to produce the Repertory in some or all of the other working languages of the General Assembly. Account would have to be taken, in planning any such project, of the need to translate all of the existing 14 basic volumes, three supplements and two indexes, containing well over 6,000 pages of text.

10. Mr. ROSENSTOCK (United States of America) said that his delegation hoped that the Secretariat would find, within its existing resources, the capacity to continue the functions of a co-ordinator, since it was in the nature of residual activities that a co-ordinator was essential if the work was to be done.

11. Mr. BROMS (Finland) said that, since the basic work on the Repertory covering the period up to 31 August 1954 had been done quickly, it might be useful to look back and see how many people had been needed at that time to do the work. He also referred to General Assembly resolution 2968 (XXVII) on the need to consider suggestions concerning the review of the Charter of the United Nations, in which the Secretary-General had been requested to bring up to date as quickly as possible the Repertory of Practice of United Nations Organs. He agreed with the United States representative that a co-ordinator was needed . In addition, his delegation felt that the project would not be a waste of money, since all major libraries, law schools and law offices would want copies of the volumes. The Office of Legal Affairs should therefore be given financial help.

12. Mr. ECONOMIDES (Greece) felt that the report of the Special Committee should contain a special paragraph dealing with the Repertory, and that the matter should be given priority.

13. Mr. CHATURVEDI (India) said that his delegation also felt that the Repertory should be published and updated. The document would be useful for the Foreign Offices of many countries and for international scholars.

14. Mr. OUYANG Chuping (China) said that his delegation shared the concern expressed by other delegations regarding the publication of the Repertory. That document served a useful purpose and would be needed by many libraries and legal offices, and his delegation hoped that the Secretariat could accelerate the work that was being done on it. He took note of the Under-Secretary-General's comments on publication of the work in foreign languages, but expressed the hope that a Chinese version would nevertheless become available.

15. Mr. TEKAIA (Tunisia) recalled the proposal his delegation had made at Manila regarding the use of computers in the work of compiling resolutions for the Repertory.

16. Mr. ELARABY (Egypt) said that his delegation hoped that everything possible would be done to provide an updated version of the Repertory. That would require the provision of technological and financial resources and the creation of a special unit.

17. Mr. KOROMA (Sierra Leone) said that his delegation attached particular importance to the publication of the Repertory, and would accordingly support any effort to obtain increased resources for that purpose. He noted that a manual for the preparation of the Repertory had been issued and given due publicity, but he hoped that the matter would receive increased attention in the future.

18. Mr. OSAH (Nigeria) said that it was clear from the Under-Secretary-General's remarks that the General Assembly attached great importance to the Repertory, and his delegation hoped that the Secretariat would find a co-ordinator for it so as to ensure that the work was expedited.

19. Mr. ANDERSON (United Kingdom) said that his delegation was grateful for the statement made by the Under-Secretary-General. Although it had gained a fuller appreciation of the Secretariat's problems in connexion with the Repertory, it hoped that the document would continue to be published.

20. Mr. ZEHENTNER (Federal Republic of Germany) said that his delegation supported the proposal made by the representative of Greece. The Special Committee's report should contain a paragraph expressing concern over the matter.

21. Mr. SUY (Under-Secretary-General, The Legal Counsel) said that in the 1950s, the Repertory had been produced as a result of heroic efforts by the Secretariat and outside consultants. As he had mentioned in his statement, the situation had changed, and all those resources were no longer readily available. He had taken note of the discussion regarding a co-ordinator for the Repertory, and the Office of Legal Affairs would continue to try to find resources for that purpose. He hoped that the Fifth Committee would be as enthusiastic about the project as the Special Committee was.

22. In response to the Egyptian delegation's question regarding cases when the Security Council had passed resolutions referring expressly to Chapter VII of the Charter, he said the information he had received from the Department of Political and Security Council Affairs indicated that it had done so in three cases. Firstly, in connexion with the question of Palestine, in resolutions 54 and 62 (1948); secondly, in the numerous resolutions adopted from 1966 to 1979 on the situation in Southern Rhodesia; and finally, in resolutions 418 and 421 (1977) concerning the question of South Africa. Other Security Council resolutions did not mention Chapter VII specifically, but clearly derived from Article 39, such as the Complaint of aggression upon the Republic of Korea in resolutions 82 through 84 (1950) and resolution 146 (1960) on the Congo question.

23. Mr. ELARABY (Egypt) said that the authoritative statement by the Under-Secretary-General showed how over the past 30 years, the Security Council had failed to take action under Chapter VII. Of the three problems which had been cited as subjects of Security Council resolutions, two persisted and the third had been resolved outside the United Nations. When the Security Council failed repeatedly to take effective action under Chapter VII, and to discharge its responsibility to remove threats to international peace and security, it gave serious cause for concern, and the reasons for that failure should be examined. His delegation therefore hoped that the Special Committee would make a definitive and clear statement to the General Assembly on the reasons why the system had failed.

24. Mr. KOROMA (Sierra Leone) said that the information given by the Under-Secretary-General was extremely important in the light of South Africa's present activities. In having railroaded the talks in Geneva on independence for Namibia, and in carrying out daily acts of aggression against Angola, Mozambique and Zambia, South Africa was flouting the authority of the Security Council, yet that body was afraid even to meet in order to take action.

25. Mr. FEDOROV (Union of Soviet Socialist Republics) said that, in addition to the Security Council resolutions with direct references to Chapter VII, mentioned by the Under-Secretary-General, there were many other Security Council resolutions which were clearly in the same category, although they did not refer to Chapter VII directly such as the Security Council resolutions adopted in 1956 and 1973. His delegation did not feel that it should be concluded, however, that the Security Council had been totally ineffective. In particular, the resolutions on a cease-fire had served to defuse confrontations in many cases.

The meeting rose at 6.20 p.m.

UNITED NATIONS

GENERAL ASSEMBLY

Distr.
GENERAL

A/AC.182/SR.55
26 March 1981

ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

1981 session

SUMMARY RECORD OF THE 55th MEETING

Held at Headquarters, New York,
on Friday, 13 March 1981, at 10.30 a.m.

Chairman: Mr. GONZALEZ GALVEZ (Mexico)

CONTENTS

Adoption of the report

This record is subject to correction.

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The meeting was called to order at 11.30 a.m.

ADOPTION OF THE REPORT (A/AC.182/L.26 and Add.1 and 2, L.27 and Add.1 and 2, L.28, L.29)

1. The CHAIRMAN drew attention to the documents before the Committee, some of which were not listed in the Journal because they had only become available that morning.

2. Mr. ROSENSTOCK (United States of America) said his delegation regretted that all the important documents before the Committee, with the exception of document A/AC.182/L.26, had been distributed too late for them to be studied.

3. Mr. SMIRNOV (Union of Soviet Socialist Republics), supported by Mr. MARDAN (Iraq), Mr. OLSZOWKA (Poland) and Mr. GÜNEY (Turkey), proposed that the meeting should be adjourned so that consultations could be held among the regional groups on the documents which had only just been distributed.

4. It was so decided.

The meeting rose at noon

UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/AC.182/SR.56
30 March 1981

ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND
ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

1981 session

SUMMARY RECORD OF THE 56th MEETING

Held at Headquarters, New York,
on Friday, 13 March 1981, at 3 p.m.

Chairman: Mr. HUCKE (German Democratic Republic)

CONTENTS

Adoption of the report (continued)

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Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, Department of Conference Services, room A-3550, 866 United Nations Plaza.

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The meeting was called to order at 3.35 p.m.

ADOPTION OF THE REPORT (continued) (A/AC.182/L.26)

1. Mrs. RAMIRO-LOPEZ (Philippines), Rapporteur, introduced the Introduction (A/AC.182/L.26) to the Special Committee's report and read out some changes that had been made.

2. She read out a statement on the work done by the Working Group in connexion with the question of the maintenance of international peace and security.*

3. Mr. PIRIS (France) said that the Committee must re-examine its method of work. Once again it had not been possible to prepare the Committee's report in good time and in all languages, and the Rapporteur had unfortunately again been required to read out a lengthy statement constituting the bulk of the report so that delegations had not had a chance to see the report in written form. When the decision to discontinue, for budgetary reasons, the provision of summary records for the Special Committee had been re-examined, his delegation had maintained that the reinstatement of summary records would not result in any improvement of the situation with respect to the preparation of the report. The example of the current session convincingly demonstrated that the French delegation had been right, and fully warranted a re-examination of the question of the provision of summary records. The Committee should perhaps terminate its deliberations a few days earlier in order to give the Rapporteur and the Secretariat time to prepare the report and the same should also be done by other Committees established by the General Assembly on the recommendation of the Sixth Committee. In any case the situation must never be allowed to recur. The Committee had a special responsibility in that connexion since its mandate included the question of the rationalization of existing procedures of the United Nations.

The meeting rose at 7.30 p.m.

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* For the full text of this statement, see Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 33 (A/36/33, sect. II).

UNITED
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General Assembly

Distr.
GENERAL

A/AC.182/SR.57
30 March 1981

ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND
ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

1981 session

SUMMARY RECORD OF THE 57th MEETING

Held at Headquarters, New York,
on Friday, 13 March 1981, at 6 p.m.

Chairman: Mr. GONZALEZ GALVEZ (Mexico)

CONTENTS

Adoption of the report (continued)

This record is subject to correction

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Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 8.10 p.m.

ADOPTION OF THE REPORT (continued) (A/AC.182/L.26 and Add.1 and 2, L.27 and Add.1 and 2, L.28 and L.29)

1. The CHAIRMAN said that, following consultations with the regional groups, he wished to announce that agreement had been reached on certain changes in various documents before the Committee and on ways of dealing with proposals before the Committee.

2. The first change applied to paragraph 19 of document A/AC.182/L.26. After the existing paragraph 19 a new paragraph would be added, reading: "In this regard, the General Assembly should consider the establishment of a working group at the beginning of its thirty-sixth session with a view to finalizing the draft Manila declaration on the peaceful settlement of disputes." He also announced that one delegation had indicated that, while it could support the establishment of such a working group under the General Assembly, it did so only on the understanding that, if agreement was not reached on the draft declaration, the declaration would be sent back to the Special Committee for consideration.

3. Mr. KOROMA (Sierra Leone) said that the additional sentence appeared to have very little content, in that a working group had already been established but the declaration had not been completed.

4. Mr. VERCELES (Philippines) pointed out that the additional sentence made it possible to eliminate document A/AC.182/L.28.

5. The CHAIRMAN said that numerous changes had been made in document A/AC.182/L.26/Add.1. The underlined heading immediately before paragraph 1 should read "Continuation of the elaboration of the draft Manila declaration on peaceful settlement of disputes". The second change applied to paragraph 1 itself, and consisted of replacing the words "reached within the Committee in the" in the first line by the word "of", the replacement of the words "as a result of the work of" in the second and third lines by the word "in", and the replacement of the word "of", immediately before the words "informal consultations", by the word "in". The third change was to delete the heading in the margin immediately before paragraph 2 and combine the existing paragraph 2 with paragraph 1. The fourth change was to delete the words "in the course of the session" in the first line of paragraph 2, delete the words "the reaching of" in the last sentence of the paragraph and replace the words "entire text of the declaration" by the words "contents of each part of the draft as well as on the entire text of the declaration" at the end of the paragraph.

6. The last two changes applied to page 5 of the document. In the section following the heading "Preamble and section III", paragraph 3 would be amended by replacing the last sentence by the following: "They submitted the following text which was not considered for lack of time." Finally, the Rapporteur's draft on

(The Chairman)

the peaceful settlement of disputes (A/AC.182/L.26/Add.2) should be inserted after paragraph 3.

7. Mr. MARDAN (Iraq) said that agreement had also been reached on a change in the third preambular paragraph of the draft resolution on pages 5 and 6 of document A/AC.182/L.26/Add.1. The word "aggression" in the fourth line of that paragraph should be replaced by the word "coercion". The same change applied to the analogous paragraph in the draft resolution in paragraph 2 of document A/AC.182/L.27/Add.1.

8. The CHAIRMAN said that, in connexion with document A/AC.182/L.27, it had been agreed that the following introductory paragraph should be added to the statement made by the Rapporteur: "At the [ ] meeting of the Working Group, on 13 March, the Chairman introduced the document reproduced below. This document reflected the opinion of the Chairman on the progress by the Committee during the session and did not imply any commitment on the part of any delegation. In introducing this text it was the hope of the Chairman to help provide the Committee with a basis for future work. Proposals 46 to 74 were not covered, as a discussion on them could not be completed for lack of time."

9. In the report the title "Document prepared by the Chairman after consultations" would be followed by the chapter on the maintenance of international peace and security contained in document A/AC.182/L.27. However, the proposals relating to the peaceful settlement of disputes would be omitted since they had already been incorporated in the report.

10. In section III of document A/AC.182/L.27/Add.2, on rationalization of existing procedures of the United Nations, it had been agreed to delete the words "A recommendation that" from the paragraph headed "Possible basis for future work". The paragraph would end with the following words: "... with a view to the possibility for further consideration, taking into account the relevant decisions made by the General Assembly at its last session."

11. Lastly, it had been proposed, in connexion with the draft recommendation circulated as document A/AC.182/L.29, that the following paragraph should be added to the Rapporteur's statement on the subject: "At the [ ] meeting of the Working Group, on 13 March, the following draft recommendation was proposed as a basis for future work on a priority basis in the Special Committee by the delegations of ..." The text would then continue in accordance with the wording of the title of document A/AC.182/L.29. The relevant section of the report would conclude with the words: "Owing to lack of time it was not possible to consider this proposal".

12. Mr. ELARABY (Egypt) said, in connexion with the paragraph just mentioned, that, after further consultations between the sponsors of the draft recommendation contained in A/AC.182/L.29, it had been agreed that the wording should be: "draft recommendation proposed by non-aligned countries of the Special Committee ..." That decision had been taken in the light of the rules of procedure of the General Assembly which did not stipulate that the countries sponsoring such a recommendation should be named.

13. Mr. ECONOMIDES (Greece) asked if the representative of Egypt would object to the inclusion of a foot-note listing the non-aligned countries represented in the Special Committee.

14. Mr. ANDERSON (United Kingdom) said that it was a matter of importance to know which delegations were sponsoring the draft recommendation.

15. Mr. KOROMA (Sierra Leone) said that the words "by non-aligned countries of the Special Committee" had presumably been carefully chosen, and he noted that no member of the non-aligned movement in the Committee had taken exception to them. He did not think the phrase need be a matter of contention.

16. Mr. ROSENSTOCK (United States of America) said that the recommendations contained in document A/AC.182/L.29 were of fundamental significance for the content of chapter VII of the report, and it was therefore not unreasonable to expect that the proponents of such recommendations should specify which States were sponsoring them. If those delegations belonging to the non-aligned movement which were present at the meeting were to indicate their approval of the recommendations he would have no objection to the subsequent addition of other sponsors early in the following week.

17. Mr. MUSEUX (France) said that his delegation had participated in the negotiations which had resulted in the draft recommendation, and that the question of sponsorship had been specifically raised. It was therefore surprising that the Special Committee was not to be informed which countries were in fact the sponsors of the draft recommendation. Accordingly, he considered that the suggestion made by the representative of the United States was entirely appropriate. It was obviously unhelpful to indicate that the draft recommendation emanated from unspecified "non-aligned countries".

18. Mr. ELARABY (Egypt) said that the proper subject of discussion was surely whether the proposal submitted by a number of countries should appear in the report, and if so, in what form that proposal would be presented.

19. Miss OLIVEROS (Argentina) said that she was surprised that certain delegations seemed to wish to impede other delegations in the exercise of their right to submit proposals agreed upon in informal negotiations. It should be pointed out that all decisions at meetings of the non-aligned group were taken by consensus. As the representative of Greece had suggested, it would not be inappropriate to include a foot-note in the report indicating the non-aligned membership of the Special Committee.

20. Mr. ŠILOVIĆ (Yugoslavia) said that the members of the non-aligned movement constituted a well-defined group within the United Nations and that there was therefore no need to be more specific in the report.

21. Mr. ROSENSTOCK (United States of America) said that his delegation had no desire to interfere in the affairs of the non-aligned movement. It was, however, important to know which delegations were taking responsibility for the draft recommendation in document A/AC.182/L.29. He could not see why any problem should arise from naming the States concerned: if there was in fact a problem, time should be allowed for further consultations.

22. Mr. ELARABY (Egypt) said that a proposal had been submitted and several delegations of the non-aligned group had already spoken in favour of it. He could see no reason why the Committee should not proceed to a discussion on the substance of the recommendation rather than dwell on the question of which delegations were sponsoring it.

23. The CHAIRMAN reminded the Committee that, under the arrangements made with the Planning and Meetings Servicing Section, conference services, including interpretation, had been made available to the Committee only until 9 p.m. In addition he had been informed that no meeting held on Saturday could extend beyond 1 p.m. He therefore adjourned the meeting on the understanding that the Committee would resume its discussion the following day at 10.30 a.m.

The meeting rose at 9.10 p.m.